

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

|                          |   |                           |
|--------------------------|---|---------------------------|
| Mark Maxson,             | ) | Case No. 16 C 9417        |
|                          | ) |                           |
| Plaintiff,               | ) | Honorable Judge Gettleman |
|                          | ) |                           |
| v.                       | ) | Magistrate Judge Cummings |
|                          | ) |                           |
| City of Chicago, et al., | ) |                           |
|                          | ) |                           |
| Defendants.              | ) |                           |

**Order to Preserve Evidence**

This matter having come to be heard on Individual Defendants' Motion for an Order to Preserve Evidence, due notice hereof having been given, and the Court being fully advised in the premises, the motion to preserve evidence is GRANTED in part and DENIED in part.

Accordingly, IT IS HEREBY ORDERED as follows:

**Chicago Police Department**

The City of Chicago, by way of the Chicago Police Department, is ordered to preserve and prevent from destruction the following:

- I. Any item associated with Chicago Police Department case number RD To409950 currently in the possession of the Evidence and Recovered Property Section, including, but not limited to:
  - Inventory number 1061054 – tool belt, claw hammer, pliers, crowbar, and knife with yellow handle.
  - Inventory number 1061042 – screwdriver with yellow handle.
  - Inventory number 1036890 – sealed envelope with head hair.


- Inventory number 1036747 – vials of human blood.
  - Inventory number 1061823 – microscope slide extracts.
  - Inventory number 13727813 – negative photographs of glass recovered from 10730 South State Street.
  - Inventory number 13727811 - negative photographs of glass recovered from 10730 South State Street.
  - Inventory number 13727809 - negative photographs of glass recovered from 10730 South State Street.
  - Inventory number 13727335 - negative photographs of glass recovered from 10730 South State Street.
  - Inventory number 13727303 – fingerprint lifts.
  - Inventory number 13628896 – biological extracts in sealed envelope.
- II. Any item currently in the possession of the Chicago Police Department Forensic Services section, including but not limited to:
- Biological Extracts #1 and #2 from Inventory Number 1036956
  - Biological Extracts #1, #2, and #3 from Inventory number 1036745
  - Biological Extracts #1, #2, and # 3 from Inventory number 1036957
  - Biological Extracts from Inventory number 1036955
  - Biological Extracts from Inventory number 1061053
  - Saliva standard from Mark Maxson
  - Biological Extract from Inventory number 1036957
  - Biological Swabs from Lindsey Murdock
  - Blood from Lindsey Murdock from Medical Examiner's Office
  - Blood standard from Osborne Wade

- Any other item associated with Chicago Police Department case number RD T409950

Additionally, prior to any destructive testing of any of the above-identified items, the agency requesting the destructive testing must give notice of said testing to counsel for Defendants Marley, Duffy, and Pesavento. Such notice must not be less than thirty (30) days prior to the testing commencing.

DATE: August 22, 2019

ENTERED:



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